

Return Address: City Clerk
City of Bremerton
239 Fourth Street
Bremerton, WA 98337

AUDITOR/RECORDER'S INDEXING FORM

Document Title(s): 1. Utility Easement
Reference Number(s) of Documents assigned or released: <u>N/A</u>
Grantor(s): 1. Hsiao-Ming Ho <input type="checkbox"/> Additional names on page _____ of document.
Grantee(s): 1. The City of Bremerton <input type="checkbox"/> Additional names on page _____ of document.
Legal Description: Ptn Gov't Lot 1 S32 T24N R1E, W.M. Kitsap County, WA (abbreviated) <input checked="" type="checkbox"/> Additional legal is on page <u>Exhibit A</u> of document.
Assessor's Property Tax Parcel/Account Number: 322401-1-092-2006
Project Name:

UTILITY EASEMENT

(Individual)

THIS INSTRUMENT made this _____ day of March, 2010, by and between Hsiao-Ming Ho, in Trust for the Sesko Family Trust (hereinafter "Grantor") and the **CITY OF BREMERTON**, a Washington municipal corporation of Kitsap County, State of Washington (hereinafter "Grantee").

WITNESSETH that Grantor for and in consideration of mutual benefits derived and/or other valuable consideration, receipt of which is hereby acknowledged by Grantor, do by these presents grant, bargain, sell, convey, and confirm forever unto Grantee, its successors and/or assigns, a utility easement for municipal sewer lines, along with those necessary appurtenances, including, but not limited to, the three vaults installed in 2008-2009, provided that the Grantee restricts any future appurtenances to a height no greater than the lesser of (a) six inches above grade at installation or (b) two inches above the immediately surrounding pavement (collectively referred to as the "Utilities"), over, through, across and upon the following described property situated in Kitsap County, Washington, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED

Grantee shall have the right, without prior institution of suit or proceeding at law, at times as may be necessary, to enter upon the above-referenced property with the necessary equipment for the purposes of altering, installing, operating, maintaining, extending, constructing, repairing, and reconstructing the Utilities without incurring any legal obligation or liability; PROVIDED, however, that neither Grantor's property, the private improvements existing within this easement area, nor the immediately adjacent incidental areas shall be disturbed, destroyed or otherwise damaged, and in the event they are disturbed, destroyed or damaged, they will be repaired and/or replaced in as good a condition as they were immediately before the properties were entered upon by the Grantee, its employees, agents, contractors, or subcontractors.

Grantor shall retain the right to use the surface of this easement, so long as that use is not inconsistent with and does not interfere with rights and uses granted to Grantee described in this document. Under no circumstances shall Grantor place any cement, concrete, structure or any other objects on the property described in the easement that would interfere with Grantee's use of the easement and access to the Utilities; Provided that Grantor is permitted to pave the surface of the easement as long as the pavement does not cover the vaults or in any way interfere with the Grantee's use of the vaults.

This easement shall be a covenant running with the land, and shall bind Grantor's successors and assigns and all future owners of the real property affected by this easement.

GRANTOR:

Hsiao-Ming Ho

DATE: _____

(Notary Acknowledgment Appears on Next Page)

STATE OF WASHINGTON)
) ss.
COUNTY OF KITSAP)

On this _____ day of March, 2010, before me a Notary Public in and for the State of Washington, personally appeared Hsiao-Ming Ho, in Trust for the Sesko Family Trust to me known to be the individual(s) that executed the foregoing instrument, and acknowledged it to be the free and voluntary act, for the uses and purposes mentioned in this instrument, and on oath stated that he/she/they were authorized to execute said instrument.

<i>-Notary Seal Must Appear Within This Box-</i>	
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.	
_____	_____ _____ NOTARY PUBLIC, in and for the State of Washington, residing at _____ My appointment expires _____

APPROVED AS TO FORM:

ROGER A. LUBOVICH
City Attorney

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